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June 13, 2023

By ECF

Honorable Gabriel W. Gorenstein
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

In Re: *New York City Policing During Summer 2020 Demonstrations*,
No. 20 Civ. 8924 (CM) (GWG)
This filing is related to all cases

Your Honor:

I am a Senior Counsel in the Office of the Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and I am among counsel for the defense in the above-referenced matter. Defendants write to respectfully request a one-week extension from June 14, 2023 to June 21, 2023 to respond to plaintiffs' letter to the Court filed on June 12, 2023 at 11:28 p.m. (Dkt. No. 1055). This is defendants' first request for an extension of time to respond to plaintiffs' letter motion. Plaintiffs consent to an extension only to June 15, 2023 at noon.

The reason the extension until June 21, 2023 is necessary is to allow defendants time to confer with the Electronic Discovery Division, NYPD personnel, and possibly defendants' 30(b)(6) deposition witness on IAB matters to check the veracity of plaintiffs' review of defendants' IAB document production and to properly respond to their application to the Court.

Plaintiffs have set forth specific documents that were purportedly missing from the IAB files provided on May 16, 2023, the number of documents that purportedly do not contain meaningful content, the number of documents that were purportedly duplicates, and the number of documents that were purportedly new. Plaintiffs have also claimed certain IAB files did not include any documents. Defendants must review each of these findings with their Electronic Discovery Division to verify these claims.

Also, plaintiffs have proposed that defendants should compile the identifying numbers of all protest-related IAB files, and that doing so would require “minimal effort” based on a confirmation of Bridget Fitzpatrick of the NYPD, and deposition testimony from defendants’ 30(b)(6) witness on IAB matters.

Defendants need time to confer with and possibly obtain a declaration from Ms. Fitzpatrick, who is no longer the Managing Attorney of the NYPD’s Civil Litigation Unit, to help ascertain whether plaintiffs’ proposal would require “minimal effort.” In addition, defendants need time to review the deposition transcript of and possibly confer with their 30(b)(6) deposition witness on IAB matters to help ascertain whether plaintiffs’ proposal would require “minimal effort.”

For the foregoing reasons, defendants respectfully request that the Court grant defendants’ request for a one-week extension from June 14, 2023 to June 21, 2023 to respond to plaintiffs’ application to the Court.

Thank you for your consideration herein.

Respectfully submitted,

Joseph M. Hiraoka, Jr. s/

Joseph M. Hiraoka, Jr.

Senior Counsel

Special Federal Litigation Division

cc: ALL COUNSEL (via ECF)